

# Notice of Allowability

Application No.

09/977,362

Examiner

Lawrence B. Williams

Applicant(s)

BEADLE ET AL.

Art Unit

2634

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on 12 April 2005.
2. ☒ The allowed claim(s) is/are 1-8, 15, 17-23, renumbered as 1-8, 9, 10-16, respectively.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 2.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 2.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mark C. Comtois on 15 June 2001.

The application has been amended as follows:

I.) In claim 1, line 1, change "the" after estimating to "a".

In claim 1, line 14, change "the" after producing to "a" in first line of step (e).

In claim 1, line 19, change "the" between "of" and "imaginary" to "an" in first line of step (h).

II.) In claim 4, line 2, change "the" after "than" to "a".

III.) In claim 7, line 2, delete "the" after "of".

IV.) In claim 15, line 1, change "the" after "estimating" to "a".

V.) In claim 17, line 1, change "the" after "estimating" to "a".

VI.) In claim 18, line 1, change "the" after "estimating" to "a".

VII.) In claim 23, line 1, change "the" after "estimating" to "a".

### **REASONS FOR ALLOWANCE**

1. The following is an examiner's statement of reasons for allowance: The instant application discloses a signal to noise estimator and method for a received signal. A search of prior art records failed to disclose a method for estimating the signal to noise ratio comprising the steps of "(e) producing the complex conjugate of the received signal to provide a conjugate signal; (f) delaying the conjugate signal by a predetermined length of time" along with the remaining limitations of claims 1, 15 and 17, respectively. Nor does the prior art teach a method for estimating the signal to noise ratio of a received signal, the improvement including the step of eliminating the real component of the combination of the received signal and the delayed conjugate of the received signal" along with the remaining limitations of claim 18. The prior art also fails to disclose a signal to noise ratio estimator comprising; "means for producing a complex conjugate signal of the received signal; delaying means for delaying the complex conjugate signal for a predetermined duration" along with the remaining limitations of claim 19. The prior art also fails to disclose a method for estimating the signal to noise ratio of a received signal, the improvement including the step of "producing the signal power estimate by combining a demodulated bit sequence of the communication signal component with samples of a delay discriminator output" along with the remaining limitations of claim 23.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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## DRAWINGS

2. This application has been filed with informal drawings, which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

## *Conclusion*


3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lawrence B Williams whose telephone number is 571-272-3037. The examiner can normally be reached on Monday-Friday (8:00-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Chin can be reached on 571-272-3056. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lawrence B. Williams

lbw  
June 15, 2005



KENNETH VANDERPUYE  
PRIMARY EXAMINER